



**UNITED STATES BANKRUPTCY COURT
CENTRAL DISTRICT OF CALIFORNIA
SANTA ANA DIVISION**

In re:

Northern Holding, LLC,

Debtor(s).

Case No.: 8:20-bk-13014-SC

CHAPTER 7

**ORDER (1) ADVANCING HEARING DATE
ON OSC SET AS A HOLDING DATE; AND
(2) SETTING HEARING ON OBJECTION TO
STIPULATION**

Date: June 14, 2023
Time: 11:00 a.m.
Courtroom: 5C - Virtual

On May 11, 2023, the Court held an evidentiary hearing on the order issued October 18, 2022 [Dk. 359] which required LeRoy E. Coddington IV, individually and on behalf of certain named entities, to appear and show cause why he should not be held in contempt for the activities specified therein. Upon the conclusion of the hearing, the Chapter 7 Trustee and Mr. Coddington reached a resolution, which was placed on the record. As a result, a continued hearing was set for June 15, 2023, at 11:00 a.m. as a holding date only, pending entry of an order approving the parties' resolution.

On May 15, 2023 [Dk. 394], the Chapter 7 Trustee filed a stipulation entered into with Mr. Codding, which “serves to supplement the stipulated terms stated on the record.” [Dk. 394, pg. 5:5] (“Stipulation”). On May 16, 2023 [Dk. 397], Agwest Farm Credit, FLCA filed an objection to the Stipulation (“Objection”), objecting as follows:

Paragraph 7 of the Stipulation provides that of “the funds paid to the Estate, \$40,000 shall be allocated to the payment of Trustee’s attorney’s fees ... and no lien of any kind shall attach to such portion of the funds, including the liens of FCW.” The proposed order approving the Stipulation (“Order”) (Dkt. 395) contains virtually the same language paragraph 10.

AgWest objects to paragraph 7 of the Stipulation and paragraph 10 of the Order because AgWest is not a party to the Stipulation and was not provided with any notice that the Trustee would be seeking to extract payment from Leroy E. Codding, IV that is free and clear of AgWest’s liens. Furthermore, the Trustee already agreed that such proceeds are subject to AgWest’s liens. See Docket No. 211. The Trustee has provided no basis to unilaterally circumvent this Court’s prior order. AgWest is in the process of meeting and conferring with the Trustee regarding these issues.

As of entry of this order, the docket does not reflect any further activity indicative of a resolution of the foregoing Objection. Accordingly, the Court finds good cause to order as follows:

1. The Objection is set for hearing on June 14, 2023, at 11:00 a.m.
2. The parties shall file a joint stipulation which addresses the outstanding issues and which is reflective of the parties’ varying positions, with legal support, by no later than June 5, 2023.
3. The holding date of June 15, 2023 on the continued OSC is hereby advanced to June 14, 2023, at 11:00 a.m.

IT IS SO ORDERED.

Date: May 23, 2023


Scott C. Clarkson
United States Bankruptcy Judge